APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,439	09/08/2003	Larry White	SONY-26600	4739

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EXAMINER
PARK, JEONG S

ART UNIT	PAPER NUMBER
2454	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/658,439	WHITE ET AL.
	Examiner	Art Unit	
	JEONG S. PARK	2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 June 2008</u>.

2a)☒ This action is FINAL.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-40</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 June 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>5/1/2008, 8/25/2008</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to Application No. 10/658,439 filed on 8

September 2003. The amendment presented on 30 June 2008, which provides change

to the claims 1, 8, 15, 21, 27, 32 and 38-40, is hereby acknowledged. Claims 1-40 have

been examined.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-4, 6-11, 13-17, 19-23, 25-27, 29-34 and 36-40 are rejected under 35

U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(U.S. Pub.

No. US 2002/0194309 A1).

        Regarding claims 1, 2, 8, 9, and 15, Carter discloses as follows:

        A media server (master digital multimedia device, reference character 112 in

figure 1, see, e.g., page 3, paragraph [0027], lines 4-10) comprising;

        A database to store content data (multimedia database, reference character 106

in figure 1, see, e.g., page 3, paragraph [0028]);

        A synchronization application (control unit, reference character 314 in figure 3) to

perform content data synchronization with an external device (digital multimedia device

via the control unit synchronizes a user's files, connected to the digital multimedia

device, automatically from a multimedia database, see. e.g., page 3, paragraph [0031], lines 1-8);

A content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database (the content directory service is provided by the multimedia database (106 in figure 1) and control unit (314 in figure 3) in the digital multimedia device, see, e.g., page 3, paragraph [0028] and paragraph [0030], lines 16-21) and to maintain directory information related to new content received (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other);

The content database is capable of communication with other network devices to deliver the data stored in the database to a digital multimedia device (104 in figure 1) (see, e.g., page 3, paragraph [0028], lines 9-13);

The digital multimedia device (104 in figure 1) allows the user via the control unit (314 in figure 3) to request and download new recorded data or program the digital multimedia device to synchronize and update the user's files automatically from the multimedia database (106 in figure 1) and the user selects the desired multimedia works to be synchronized (the multimedia database inherently includes the content directory service to provide for the user to select the desired multimedia works, see, e.g., page 3, paragraph [0031], lines 11-15) and downloaded for storage on the digital multimedia device from the music multimedia database (the selected data is downloaded from the

music multimedia database into the data storage memory unit of the digital multimedia

device, see, e.g., page 3, paragraph [0031], lines 15-17);

Therefore, Carter teaches the content directory service to browse the content

data stored in the database and to provide information regarding the content data stored

in the database;

An interface layer coupled to communicate with the synchronization application

and the content directory service to discover new content data (queries the master

multimedia device to determine if content downloads or update are available, see, e.g.,

page 4, paragraph [0032], lines 8-17) and provide update information to the content

directory service or the synchronization application regarding new content data received

by the database from the external device during content data synchronization, wherein

the control unit (314 in figure 3) works as a combined system of the synchronization

application and the interface layer in order to provide update information from the

external multimedia database device to the digital multimedia device (see, e.g., page 3,

paragraph [0031], lines 1-8);

The user selects the desired multimedia works to be synchronized and

downloaded for storage on the digital multimedia device from the music multimedia

database (the multimedia database inherently includes the content directory service to

provide for the user to select the desired multimedia works, see, e.g., page 3, paragraph

[0031], lines 11-15);

A synchronization application (control unit, reference character 314 in figure 3) to

perform content data synchronization with an external device (digital multimedia device

via the control unit synchronizes a user's files, connected to the digital multimedia

device, automatically from a multimedia database, see. e.g., page 3, paragraph [0031],

lines 1-8);

Communications between the content directory service and the synchronization

application (see, e.g., page 3, paragraph [0031], lines 11-17 and steps 402 and 404 in

figure 4); and

The interface layer is interpreted as a functional layer to provide interface

between the content directory service and the synchronization application. The digital

multimedia device (300 in figure 3 and 104 in figure 1) has all necessary components

such as processor (302 in figure 3), communication unit (306 in figure 3), audio/video

out (308 in figure 3), control unit (314 in figure 3) and memory unit (312 in figure 3) to

provide the interface layer functions (see, e.g., page 3, paragraph [0030]).

The examiner interpreted the first update information as updating from the

external devices to the database and the second update information as updating from

other than the external devices to the database then later synchronized to the external

devices.

Carter discloses several synchronization directions, from a database to

multimedia devices (see, e.g., page 3, paragraph [0031], from the master multimedia

devices to subordinate multimedia device (see, e.g., page 4, paragraph [0032] and from

subordinate multimedia device to master multimedia device (see, e.g., page 4,

paragraph [0032]).

Carter does not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 3, 10, 16, and 22, Carter discloses that the external device or the network device is a second media server (the digital multimedia player, 104 in figure 1, automatically performs the synchronization and download function between master and subordinate digital multimedia devices which means the digital multimedia player works exactly same as the master digital multimedia player, see, e.g., page 4, paragraph [0032], lines 1-5).

Regarding claims 4, 11, 17, and 23, Carter discloses that the external device or the network device includes an Internet service (network system connects all external devices is the Internet representing a worldwide collection of networks and gateways that use the TCP/IP suite of protocols to communicate with one another, see, e.g., page 3, paragraph [0027], lines 16-19).

Regarding claims 6, 7, 13, 14, 19, 20, 25, 26, 29, 30, 36, and 37, Carter discloses that the content data includes media files such as audio, video, graphic, and text data (see, e.g., page 4, paragraph [0033], lines 14-18).

Regarding claim 21, Carter discloses as follows:

A first media server (master digital multimedia device, reference character 112 in figure 1, see, e.g., page 3, paragraph [0027], lines 4-10) coupled to the network device (same as the external device as explained above) comprising;

A database to store content data (multimedia database, reference character 106 in figure 1, see, e.g., page 3, paragraph [0028]);

A synchronization application (control unit, reference character 314 in figure 3) to perform content data synchronization with an external device (digital multimedia device via the control unit synchronizes a user's files, connected to the digital multimedia device, automatically from a multimedia database, see. e.g., page 3, paragraph [0031], lines 1-8);

A content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database (the content directory service is provided by the multimedia database (106 in figure 1) and control unit (314 in figure 3) in the digital multimedia device, see, e.g., page 3, paragraph [0028] and paragraph [0030], lines 16-21) and to maintain directory information related to new content received (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other); and

An interface layer coupled to communicate with the synchronization application and the content directory service to discover new content data received by the database (queries the master multimedia device to determine if content downloads or update are available, see, e.g., page 4, paragraph [0032], lines 8-17) and provide update

information to the content directory service or the synchronization application regarding

new content data received by the database from the external device during content data

synchronization, wherein the control unit (314 in figure 3) works as a combined system

of the synchronization application and the interface layer in order to provide update

information from the external multimedia database device to the digital multimedia

device (see, e.g., page 3, paragraph [0031], lines 1-8).

Carter doe not explicitly disclose synchronization process from the external

device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the

invention was made to modify Carter to include synchronization from multimedia

devices to a database in order to efficiently synchronize multiple devices each other via

a central database so that all the devices have the same content and content

management.

Regarding claims 27 and 31, Carter discloses as follows:

A method of synchronizing data between two network devices (see, e.g.,

paragraph [0016], lines 1-3), the method comprising:

Sending first update information to a content directory service (visual display

means) from an interface layer (control unit) regarding a first new content data received

by a first media device (data storage memory unit of the digital multimedia device) from

a second media device (music multimedia database) during content data

synchronization performed by a synchronization application (see, e.g., page 3,

paragraph [0030] and paragraph [0031] and figure 3);

Sending second update information to the synchronization application (processor, 302 in figure 3) from the interface layer (control unit) regarding a second new content added to the first media device (data storage memory unit, 312 in figure 3, of the digital multimedia device), wherein the second new content data is synchronized with the second media device (music multimedia database) during a next content data synchronization (see, e.g., page 3, paragraph [0030] and paragraph [0031] and figure 3), thereby maintaining by the content directory service directory information related to the first new content received (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other); and

Sending the first update information to the content directory service and sending the second update information to the synchronization application are performed automatically (see, e.g., page 4. paragraph [0032], lines 1-5).

Carter doe not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 32-34 and 38, Carter discloses as follows:

A method or an apparatus of synchronizing data between two network devices (see, e.g., page 2, paragraph [0016], lines 1-3), the method comprising:

Performing data synchronization between a first media server and a second media server (see, e.g., page 3, paragraph [0031], lines 2-8);

Receiving content data related to the data synchronization on the first media server (data storage memory unit, 312 in figure 3, of the digital multimedia device, see, e.g., page 3, paragraph [0031], lines 12-18);

Obtaining update information related to the received content data from a synchronization application on the first media server (see, e.g., page 3, paragraph [0031], lines 21-24);

Providing the update information to a content directory service (visual display means) of the first media server (see, e.g., page 3, paragraph [0030], lines 16-21); and

Updating the content directory service according to the update information (see, e.g., page 3, paragraph [0031], lines 21-24 and paragraph [0030], lines 16-21)), thereby maintaining by the content directory service directory information related to the received content data (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other).

Carter doe not explicitly disclose synchronization process from the external device to the database.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Carter to include synchronization from multimedia

devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 39 and 40, Carter discloses all the limitations of claims as presented above in claims 1 and 8.

Carter further discloses automatically providing update information (the digital multimedia device (equivalent to applicant's media server) allows the user, via the control unit (equivalent to applicant's interface layer) to request and download new recorded data (equivalent to applicant's new content data) into the digital multimedia device or program the digital multimedia device to synchronize and update the user's files automatically from a multimedia database (equivalent to applicant's database), see, e.g., page 4, paragraph [0031]).

4.   Claims 5, 12, 18, 24, 28, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(U.S. Pub. No. US 2002/0194309 A1) in view of Gu et al. (hereinafter Gu)(U.S. Patent No. 6,892,230 B1).

Regarding claims 5, 12, 18, 24, 28, and 35, Carter discloses all the claim limitations of claims 1, 8, 15, 21, 27, and 32 as explained above except for disclosure of the media server is a Universal Plug and Play enabled device and the content directory service is a Universal Plug and Play content directory service.

The general concept of enabling a Universal Plug and Play featured device and service is well known within the art as illustrated by Gu which discloses a Universal Plug and Play (see, e.g., col. 5, lines 20-29).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Carter to include using a Universal Plug and Play enabled device and service as taught by Gu in order to avoid user installation experience, persistent relationship configurations and software driver download whenever connecting multiple network devices together.

Response to Arguments

5.   Applicant's arguments filed 30 June 2008 have been fully considered but they are not persuasive.

A.   Summary of Applicant's Arguments

In the remarks, the applicant argues as followings:

1) Regarding claims 1, 8, 15, 39 and 40, Carter does not teach a content directory service and an interface layer.

2) Regarding claim 27, Carter does not teach sending first update information to a content directory service from an interface layer regarding a first new content data received by a first media device from a second media device during content data synchronization performed by a synchronization application, thereby maintaining by the content directory service directory information related to the first new content data received. As further described above, Carter does not teach sending second update information to the synchronization application from the interface layer regarding a second new content added to the first media device, wherein the second new content data is synchronized with the second media device during a next content data synchronization.

3) Regarding claims 32 and 38, Carter does not teach providing the update information to a content directory service of the first media server. As further described above, Carter does not teach updating the content directory service according to the update information, thereby maintaining by the content directory service directory information related to the received content data.

B.   Response to Arguments:

In response to argument 1), Carter teaches for the applicant's content directory service as follows:

The content source database is capable of communication with other network devices to deliver the data stored in the database (see, e.g., page 3, paragraph [0028]); and

The user can selects the desired multimedia works to be synchronized and download for storage on the digital multimedia device from the music multimedia database and the selected digital data is downloaded from the music multimedia database into the data storage memory unit of the digital multimedia device (see, e.g., page 4, paragraph [0031]).

Therefore the content source database inherently provides a communication service for the digital multimedia device to select to be synchronized the desired multimedia works.

Carter teaches the applicant's interface layer as follows:

The digital multimedia device via the control unit synchronizes a user's files, connected to the digital multimedia device, automatically from a multimedia database (see. e.g., page 3, paragraph [0031], lines 1-8);

The digital device queries the master multimedia device (equivalent to applicant's media server database) to determine if content downloads or updates are available (see, e.g., page 4, paragraph [0032] and step 502 in figure 5); and

If content update or downloads are available, the digital device initiates the synchronization and download of the appropriate files and the digital data is placed in the data storage memory unit of the digital device (see, e.g., page 4, paragraph [0032] and step 508 in figure 5).

Therefore Carter teaches of detecting the available update or download files from the server, displaying the available update or download files to the digital device, and synchronizing the selected available files at the digital device.

The interface layer is not clearly described in the applicant's specification. The examiner is broadly interpreted the interface layer as any hardware or software based functions providing the claimed limitations.

In response to argument 2), Carter teaches all claimed functions of the interface layer as presented above. Therefore Carter inherently includes data communications between the content directory service and the synchronization application.

In response to argument 3), Carter teaches all claimed functions of the content directory service and the interface layer as presented above. Therefore Carter teaches

of updating information for the digital device to select and synchronize the updated

information from the server to the digital device.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JEONG S. PARK whose telephone number is (571)270-

1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2454

October 10, 2008

/Joseph E. Avellino/
Primary Examiner, Art Unit 2446